

HOW CAN THE EXISTING “FIT” ORDINANCE HELP TO ADDRESS NEW-HOUSING CONSTRUCTION JUSTICE ISSUES?



We need more houses like the modest solar-paneled house shown on the left.

We do NOT need more of the prohibitively expensive, over-sized, 80's-style, fossil-fuel-heavy “luxury” homes on the right. These dinosaurs of single-family housing do not meet 21st century sustainable standards.



Citizen Paik spoke eloquently about affordable housing as a key social equity issue at the last meeting of the Committee for Ordinance Review. She wanted to review the changes for the two-family-by-right ordinance in its 10-part glory at the next Ordinance Review meeting. According to Councilor LaBarge, affordable housing seems to be a hot issue in her ward right now also. I also understand that Wayne Feiden is being invited to join you on Feb 22. So in that context I want to offer some thoughts for the Committee’s consideration on Feb. 22.

On Feb 4, 2020, the Order Endorsing the Climate Resilience and Regeneration Plan (“an element of the Sustainable Northampton Plan”) passed the first reading in City Council unanimously. Here’s a excerpt from page 30:

Inequity—whether seen through income, education, access to resources (which surely includes decent affordable housing/JB), access to decision-making, among other avenues—continues to prohibit collective community resilience.

(<http://northamptonma.gov/DocumentCenter/View/16237/Northampton-Resilience--Regeneration-Plan-adopted-by-the-Planning-Board-1282021?bidId=>)

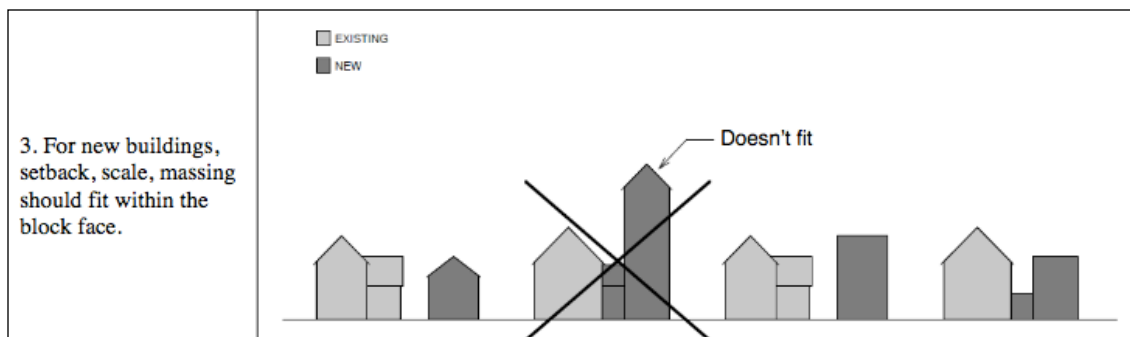
In the face of imminent climate challenges, Northampton needs to hunker down and employ all the adaptation and mitigation measures that we can while insuring justice is part of our process. It is a fact of life that we will need affordable fossil-fuel-free homes for the future. At the same time we need to stop making 80's style luxury houses. They are the real dinosaurs in our existing housing stock, because they are destructive to a just and green future. Zoning can offer both carrots and sticks to encourage equity in housing.

CARROTS currently include these 3 proposed ordinances:

- Two-Family-By-Right changes - read all 10 parts with the links at the bottom of this document. Councilor Nash suggested the Committee could attend the joint City Council & Planning Board review Monday, Feb 8 at 7 pm. Agenda & Zoom link here to make it easy for you: https://www.northamptonma.gov/AgendaCenter/ViewFile/Agenda/_02082021-5409?html=true
- Ordinance to Create an Incentive for Smaller Houses by Allowing Two Half-Scale Units to Count as a Single-Family for Density Purposes. [Encourages "tiny houses." I think this one is very interesting/jb] - <http://www.northamptonma.gov/AgendaCenter/ViewFile/Item/15997?fileID=140886>
- Ordinance Relative to Affordable Housing, which seems to be aimed at apartments or other multi-unit construction - <https://www.northamptonma.gov/AgendaCenter/ViewFile/Item/15840?fileID=139295>

THE STICK can help stop the building of more fossil-fueled McMansions

The "stick" is already in the Zoning ordinance as part of the residential zoning guidelines that mention "FIT." It only needs to be tweaked and implemented going forward. Northampton Zoning Laws, Chap. 350, attachments 6, 7 & 8, for all residential zoning districts reads: "New homes should consist of units that maintain orientation, rhythm, setback pattern and street frontage green patterns of the surrounding block face." The ordinance includes the illustration below for guidance in deciding whether or not new construction "fits" into its surroundings though it is not currently used in the permitting process.



Link to the entire Zoning Ordinance: <https://ecode360.com/13265306>

There's more to "FIT" than mere appearance, of course. Since the prohibitive cost of home ownership and lack of affordable rentals is a social justice issue, I want to suggest that your committee recommend that the city find a way to require a "FIT" review for new housing construction permit applications that incorporates not only appearance but the three elements of the Sustainable Northampton plan. It would be great for Wayne Feiden to participate in this conversation.



The Climate Resilience and Regeneration Plan emblem features three areas that can be addressed by "FIT" once it has a mechanism for enforcement in the building permit process: Equity, Environment and Economy.

- **EQUITY** Since the 1980s it's gotten harder and harder for kids who grow up in Northampton to be able to afford to live here as adults, whether they are artists or attorneys, white or black or brown, any sexuality or religion. We definitely need more "starter" and "empty nester" homes, plus more affordable rentals.

A FIT review for equity would look at the builder's track record, that is for professional builders and developers, not home owners actually residing on the property. If a builder has a record of consistently building homes of the McMansion type, selling for more than 125% of the Zillow value of the average abutters to the building site, then the permit could be held up pending further information or revisions from said builder. Will the new dwelling(s) be in line with equitable housing goals? If not, deny the building permit.

- **ENVIRONMENT** Environmental sustainability is vital to our survival, of course. There are two elements, construction itself and the impact on the surrounding natural world. New construction must be as fossil-fuel-free as possible. The Resilience and Regeneration Plan proposes regulations for incentives, technical assistance, and energy performance standards for new buildings.

Beyond construction material and method issues, a FIT review for environmental consequences would also need to preserve local flora and fauna. Protection of our trees is a high priority along with safeguarding the areas that border the Mill River which sustains local wildlife. Densification along the river in particular needs to be evaluated for impact. Thoughtful care must go into planning future development, not calculations just to make the fast buck. Proposed cutting of a whole stand of trees, for example, would not pass an Environmental FIT review.

- **ECONOMIC FIT** Ask the City Council how can ordinances (1) support local architects, builders and workers in housing construction? (2) encourage the hiring of local tradespeople in the actual building work? and (3) support local realtors? A project on my own street originates in East Longmeadow; the workers come from around Chicopee and Ludlow; since these houses look to be built from some kind of kit, the materials are not bought locally; even the real estate broker is from the Longmeadow area. This project is an example of taking wealth out of our city and leaving an undesirable development behind. Again, an examination of the builder's previous track record can help determine if their practices are an economic FIT for our city. Individual exceptions can be allowed if other merits outweigh these considerations.

In summary: I request a "Bucket 3" (?) review of the "FIT" element from the zoning ordinance in light of the directives of the newest Sustainable Northampton plan, and suggest the City make use of a "FIT" review for Equity, Environmental Sustainability, Appearance and Economy for every new residential building permit application. I'd hope a panel with a couple Building Commission employees and a couple citizens, volunteers or appointees, could do efficient "FIT" reviews without much fuss or expense if the ordinance describes reasonable criteria.

Respectfully submitted for consideration to the
 Special Committee on the Review of Ordinances, 2020 Review,
 From: Jackie Ballance, Citizen, 35 Warner St.

LINKS to "PROPOSED ZONING CHANGES FOR TWO-FAMILY BY RIGHT"

[20.163 An Ordinance Relative to Two-Family By Right - Amendment to Definitions.pdf](#)

[20.164 An Ordinance Relative to Two-Family By Right - Amendment to URA Table of Use.pdf](#)

[20.165 An Ordinance Relative to Two-Family By Right - MODIFIED Amendment to URB-URC Tables of Use.pdf](#)

[20.166 An Ordinance Relative to Two-Family By Right - MODIFIED2-5-21 Addition of Subsection to Ch. 350-6.pdf](#)

[20.167 An Ordinance Relative to Two-Family By Right - MODIFIED Addition of WSP District Table of Use.pdf](#)

[20.168 An Ordinance Relative to Two-Family By Right - MODIFIED Amendment to SR-RR Table of Use.pdf](#)

[20.169 An Ordinance Relative to Two-Family By Right - MODIFIED Amendment to Projects Requiring Site Plan Approval.pdf](#)

[20.170 An Ordinance Relative to Two-Family By Right - Delete Sections 350-10.10 and 350-10.11.pdf](#)

[20.171 An Ordinance Relative to Two-Family By Right - MODIFIED Amendment to Parking Standards.pdf](#)

[20.172 An Ordinance Relative to Two-Family By Right - Amendment to SC Table of Use.pdf](#)